

## **DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICE AND METHOD FOR SPR DETECTION IN A MODE-S TRANSPONDER** the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a), including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

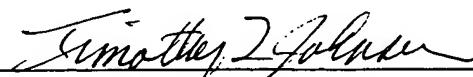
I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's right certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed: NONE.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: NONE.

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to file and prosecute any corresponding foreign applications, including any international applications under the Patent Cooperation Treaty or the European Patent Convention: Devon A. Rolf, Reg. No. 35,337. Address all correspondence to: Devon A. Rolf, Garmin International, Inc., 1200 East 151<sup>st</sup> Street, Olathe, Kansas 66062, telephone number (913) 397-8200. Power of Attorney is also given to: Dean D. Small, Reg. No. 34,730, McAndrews, Held & Malloy, 500 West Madison Street, Suite 3400, Chicago, IL 60661.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature



Timothy L. Johnson

12/13/02

Date

Residence: Olathe, Johnson County, Kansas

Citizenship: United States of America

Post Office Address: 19085 West 175<sup>th</sup> Street  
Olathe, KS 66062

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

# Facsimile Transmission

*This company uses RightFAX® fax  
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From: Name: USPTO ASSIGNMENT DIVISION  
Fax Number:  
Voice Phone: 703-308-9723

To: Name: GARMIN INTERNATIONAL, INC.  
Company: DEVON A. ROLF  
Fax Number: 19133979079  
Voice Phone:

## Fax Notes:

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Pg#	Description
1	Cover Page
2	888.TXT
4	Document 1, Batch 258398

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Number of pages including this cover sheet: 04

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SEPTEMBER 22, 2003

GARMIN INTERNATIONAL, INC.  
DEVON A. ROLF  
1200 EAST 151ST STREET  
OLATHE, KS 66062

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



\*700044424A\*

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/09/2003

REEL/FRAME: 013986/0098  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:  
GARMIN LTD.

DOC DATE: 09/09/2003

ASSIGNEE:  
GARMIN INTERNATIONAL, INC.  
1200 EAST 151ST STREET  
OLATHE, KANSAS 66062SERIAL NUMBER: 10086483  
PATENT NUMBER:FILING DATE: 02/28/2002  
ISSUE DATE:SERIAL NUMBER: 10086568  
PATENT NUMBER:FILING DATE: 02/28/2002  
ISSUE DATE:SERIAL NUMBER: 10086573  
PATENT NUMBER:FILING DATE: 02/28/2002  
ISSUE DATE:SERIAL NUMBER: 10086578  
PATENT NUMBER:FILING DATE: 02/28/2002  
ISSUE DATE:

013986/0098 PAGE 2

SERIAL NUMBER: 10086590	FILING DATE: 02/28/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10086598	FILING DATE: 02/28/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10086783	FILING DATE: 02/28/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10086929	FILING DATE: 02/28/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10086951	FILING DATE: 02/28/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10086996	FILING DATE: 02/28/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10274246	FILING DATE: 10/18/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10284865	FILING DATE: 10/30/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10285020	FILING DATE: 10/30/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10294893	FILING DATE: 11/15/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10293192	FILING DATE: 11/12/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10322911	FILING DATE: 12/18/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 10323397	FILING DATE: 12/18/2002
PATENT NUMBER:	ISSUE DATE:
SERIAL NUMBER: 08063868	FILING DATE: 05/18/1993
PATENT NUMBER: 5331330	ISSUE DATE: 07/19/1994
SERIAL NUMBER: 10086482	FILING DATE: 02/28/2002
PATENT NUMBER: 6549424	ISSUE DATE: 04/15/2003

MARCUS KIRK, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

09/17/2003  
700044424

FORM PTO-1595

RECORDATION FORM COVER SHEET  
PATENT AND TRADEMARK OFFICE

U.S. DEPT. OF COMMERCE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Garmin Ltd.

Additional name(s) of conveying party(ies) attached?  
 Yes  No

2. Name and address of receiving party(ies):

Name: Garmin International, Inc.

Internal Address:

Street Address: 1200 East 151<sup>st</sup> Street

3. Nature of Conveyance:

 Assignment  Merger Security Agreement  Change of Name Other: Technology Purchase Agreement

Execution Date: 9-9-2003

City: Olathe

State: Kansas

Zip: 66062

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s): 10/086,483;  
10/086,568; 10/086,573; 10/086,578; 10/086,580;  
10/086,598; 10/086,783; 10/088,929; 10/086,951;  
10/088,996; 10/274,246; 10/284,865; 10/285,020;  
10/294,893; 10/293,192; 10/322,911; 10/323,397

B. Patent No.(s): 5,331,330; 6,549,424

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Devon A. Rolf

Internal Address: Garmin International, Inc.

Street Address: 1200 East 151<sup>st</sup> Street

City: Olathe

State: Kansas

Zip: 66062

6. Total number of applications and patents involved: .....19

7. Total fee (37 CFR 3.41) \$ 760.00

 Enclosed Authorized to be charged to deposit account

8. Deposit Account No.: 501-791

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name of person signing: Devon A. Rolf

Signature

Date

Total number of pages including cover sheet, attachments, and document: 4

Mail documents to be recorded with required cover sheet information to:  
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P.O. Box 1450, Alexandria, VA 22313-1450

9/17/03



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TRADEMARK OFFICE

MAY - 2 2003

APRIL 25, 2003

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Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

GARMIN INTERNATIONAL, INC.  
DEVON A. ROLF  
1200 EAST 151ST STREET  
OLATHE, KS 66062



\*102323560A\*

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ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/18/2002

REEL/FRAME: 013598/0718

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

JOHNSON, TIMOTHY L.

DOC DATE: 12/13/2002

ASSIGNEE:

GARMIN LTD.  
5TH FLOOR, HARBOUR PLACE, 103  
SOUTH CHURCH STREET  
P.O. BOX 30464 SMB  
GEORGE TOWN, CAYMAN ISLANDS

SERIAL NUMBER: 10322911

FILING DATE: 12/18/2002

PATENT NUMBER:

ISSUE DATE:

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

12-27-2002

Attorney Docket No. 702.227

FORM PTO-1595

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ET

U.S. DEPT. OF COMMERCE

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Timothy L. Johnson  
*12/18/02*

Additional name(s) of conveying party(ies) attached?

 Yes  No

3. Nature of Conveyance:

- Assignment  Merger  
 Security Agreement  Change of Name  
 Other: \_\_\_\_\_

Execution Date: 12-13-2002

2. Name and address of receiving party(ies):

Name: Garmin Ltd.  
 Internal Address: P.O. Box 30464 SMB  
 Street Address: 5<sup>th</sup> Floor, Harbour Place  
 103 South Church Street

City: George Town

State: Cayman Islands

Zip:

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 12-13-2002

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Devon A. Rolf

Internal Address: Garmin International, Inc.

Street Address: 1200 East 151<sup>st</sup> Street

City: Olathe

State: Kansas

Zip: 66062

6. Total number of applications and patents involved: ..... 1

7. Total fee (37 CFR 3.41) \$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit Account No.: 501-791

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Name of person signing Devon A. Rolf

Signature

Date 12-17-2002

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents and Trademarks, Box Assignments  
 Washington, D.C. 20231

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12/26/2002 LMUELLER 00000111 501791 10322911

01 FC:8021

40.00 CH

JC715 U.S. PTO  
10/322911



**ASSIGNMENT**

WHEREAS, I, Timothy L. Johnson, of 19085 West 175<sup>th</sup> Street, Olathe, in the County of Johnson, and State of Kansas, have invented certain new and useful improvements in a

**DEVICE AND METHOD FOR SPR DETECTION IN A MODE-S TRANSPONDER**

for which I am about to make application for Letters Patent of the United States; and

WHEREAS, Garmin Ltd. a corporation duly organized under the laws of the Cayman Islands, and having its principal place of business at P.O. Box 30464 SMB, 5<sup>th</sup> Floor, Harbour Place, 103 South Church Street, George Town, Cayman Islands, is desirous of acquiring an interest in, to and under said invention, said application and any and all Letters Patent which may be granted for or upon said invention in the United States of America and all countries foreign thereto;

NOW, THEREFORE, to all whom it may concern, be it known that for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, I, Timothy L. Johnson, have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said Garmin Ltd., the full and exclusive right, title and interest, throughout the world, in, to and under said invention as fully set forth and described in the specification prepared and executed by me on even date herewith preparatory to obtaining Letters Patent of the United States therefor; in, to and under said application; in, to and under any and all refilings, divisions and continuations of said application; in, to and under any and all Letters Patent of the United States of America which may issue from said application, refilings, divisions and continuations; in, to and under any and all reissues of said Letters Patent of the United States of America; in, to and under any and all applications for Letters Patent upon said invention which may hereafter be filed in any and all countries foreign to the United States of America; in, to and under any and all refilings, divisions and continuations of said foreign-filed applications; in, to and under any and all Letters Patent of

countries foreign to the United States of America, which may issue from the said foreign-filed applications, refilings, divisions and continuations; and in, to and under any and all extensions of, and additions to, said Letters Patent of countries foreign to the United States of America, the same to be held and enjoyed by said Garmin Ltd. for its own use and behoof, and for its successors, legal representatives and assigns, to the full end of the term for which said Letters Patent may be granted, and I do hereby authorize and request the Commissioner of Patents to issue the said Letters Patent in accordance with this assignment.

EXECUTED this 13 day of Dec, 2002.



\_\_\_\_\_  
Timothy L. Johnson